

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/990,268	AMONOU ET AL.	
	Examiner	Art Unit	
	David Y. Jung	2134	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to \_\_\_\_\_.
2.  The allowed claim(s) is/are 1-33.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  
 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of  
 Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
     Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
     of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
     Paper No./Mail Date \_\_\_\_\_
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

## DETAILED ACTION

### ***Allowable Subject Matter***

All claims are allowed. Claims 1-33 are allowed. The following is an examiner's statement of reasons for allowance. In the file history (such as the latest filed amendment), Applicant noted the following regarding the claims. As recited in independent Claim 1, the present invention includes, *inter alia*, the features of comparing to an estimated capacity a size of a message among a set of messages representing a same message with each having a different number of bits and selecting, from said set of messages, the compared message if said compared message has a size less than or equal to the estimated capacity. According to the above-mentioned features of the present invention, there is a set of messages representing a same message with each having a different number of bits. For example, the set of messages could be messages that all represent the same watermark using different resolutions (i.e., using a different number of bits). Although the set of messages all represent the same message, the appropriate message to insert in a given subset of digital data (i.e., the appropriate resolution to use for that particular subset of digital data) may depend on the capacity of that particular subset of digital data to have a message inserted without deterioration of the original data. Accordingly, after estimating a capacity of the subset of digital data to receive a message, the invention of Claim 1 compares the estimated capacity to a size of a message among the set of messages representing the same message with a different number of bits, and selects the compared message if it

Art Unit: 2134

has a size less than or equal to the estimated capacity. Claim 12 recites, among others, the feature of identifying the fact that an extracted message belongs to a set of stored messages representing a same message with each having a different number of bits. Based on the discussion of the cited art [such as in the discussion of claim 1], Applicants submit that the cited art fails to disclose or suggest such a set of messages and therefore fails to disclose or suggest at least the feature of identifying the fact that an extracted message belongs to such a set of messages. Claim 24 [which is a means claim, and therefore contains the meanings as mentioned by Applicant and as mentioned in specification] recites features similar to Claim 12 discussed above and is believed patentable for similar reasons. Thus, the prior art did not teach or suggest the particular features of the claims.

### **Conclusion**

#### **Points of Contact**

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Any response to this action should be mailed to:**

Art Unit: 2134

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(571) 273-8300, (for formal communications intended for entry)

**Or:**

(571) 273-3836 (for informal or draft communications, please label "PROPOSED" or  
"DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Jung whose telephone number is (571) 272-3836 or Kambiz Zand whose telephone number is (272) 272-3811.

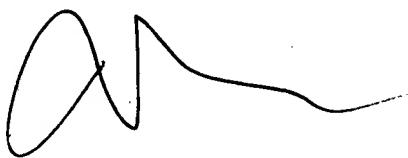
David Jung

A handwritten signature consisting of a large, stylized loop on the left and a more horizontal, wavy line extending to the right.

Art Unit: 2134

Patent Examiner

4/15/07

A handwritten mark consisting of a large, open loop on the left, followed by a vertical line segment, another small loop at the top, and a horizontal line extending to the right.